

**UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND**

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TODD STAVE,

Plaintiff,

- against -

Civil Action No.: 8:24-CV-03767

PATRIOT SUPPLY STORE INC.,

**ANSWER**

Defendant.  
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**PLEASE TAKE NOTICE** that Defendant, PATRIOT SUPPLY STORE INC. (“Defendant”), by and through its attorneys, GORDON REES SCULLY MANSUKHANI, LLP, as and for an Answer to the Plaintiff’s Complaint, respectfully responds as follows:

1. Denies the allegations in paragraph 1 of the Complaint and respectfully refers all questions of law to the Court and all questions of fact to the trier of fact.
2. Denies the allegations in paragraph 2 of the Complaint and respectfully refers all questions of law to the Court and all questions of fact to the trier of fact.
3. Denies the allegations in paragraph 3 of the Complaint.
4. Denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 4 of the Complaint, and therefore denies the allegations in paragraph 4.
5. Admits that Defendant’s registered agent for service of process is Corporation Service Company, 15 West South Temple, Suite 600, Salt Lake City, UT 84101, and denies the remainder of the allegations in paragraph 5 of the Complaint.
6. Denies the allegations in paragraph 6 of the Complaint and respectfully refers all questions of law to the Court and all questions of fact to the trier of fact.

7. Denies the allegations in paragraph 7 of the Complaint and respectfully refers all questions of law to the Court and all questions of fact to the trier of fact.

8. Denies the allegations in paragraph 8 of the Complaint and respectfully refers all questions of law to the Court and all questions of fact to the trier of fact.

9. Denies the allegations in paragraph 9 of the Complaint and respectfully refers all questions of law to the Court and all questions of fact to the trier of fact.

10. Denies the allegations in paragraph 10 of the Complaint and respectfully refers all questions of law to the Court and all questions of fact to the trier of fact.

11. Denies the allegations in paragraph 11 of the Complaint and respectfully refers all questions of law to the Court and all questions of fact to the trier of fact.

12. Denies the allegations in paragraph 12 of the Complaint and respectfully refers all questions of law to the Court and all questions of fact to the trier of fact.

13. Denies the allegations in paragraph 13 of the Complaint and respectfully refers all questions of law to the Court and all questions of fact to the trier of fact.

14. Denies the allegations in paragraph 14 of the Complaint and respectfully refers all questions of law to the Court and all questions of fact to the trier of fact.

15. Denies the allegations in paragraph 15 of the Complaint and respectfully refers all questions of law to the Court and all questions of fact to the trier of fact.

16. Denies the allegations in paragraph 16 of the Complaint and respectfully refers all questions of law to the Court and all questions of fact to the trier of fact.

17. Denies the allegations in paragraph 17 of the Complaint and respectfully refers all questions of law to the Court and all questions of fact to the trier of fact.

18. Denies the allegations in paragraph 18 of the Complaint and respectfully refers all questions of law to the Court and all questions of fact to the trier of fact.

19. Denies the allegations in paragraph 19 of the Complaint and respectfully refers all questions of law to the Court and all questions of fact to the trier of fact.

20. Denies the allegations in paragraph 20 of the Complaint and respectfully refers all questions of law to the Court and all questions of fact to the trier of fact. Indeed, the regulation cited in this paragraph by plaintiff does not apply because it has not even taken effect yet.

21. Denies the allegations in paragraph 21 of the Complaint and respectfully refers all questions of law to the Court and all questions of fact to the trier of fact. Indeed, the regulation cited in this paragraph by plaintiff does not apply because it has not even taken effect yet.

22. Denies the allegations in paragraph 22 of the Complaint and respectfully refers all questions of law to the Court and all questions of fact to the trier of fact.

23. Denies the allegations in paragraph 23 of the Complaint.

24. Denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 24 of the Complaint, and therefore denies the allegations in paragraph 24.

25. Denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 25 of the Complaint, and therefore denies the allegations in paragraph 25.

26. Denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 26 of the Complaint, and therefore denies the allegations in paragraph 26.

27. Denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 27 of the Complaint, and therefore denies the allegations in paragraph 27.

28. Admits that Defendant offers products for sale over the website [www.mypatriotssupply.com](http://www.mypatriotssupply.com), and that the website speaks for itself. To the extent a further

response is required, denied.

29. Denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 29 of the Complaint, and therefore denies the allegations in paragraph 29.

30. Denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 30 of the Complaint, and therefore denies the allegations in paragraph 30.

31. Denies the allegations in paragraph 31 of the Complaint.

32. Denies the allegations in paragraph 32 of the Complaint.

33. Denies the allegations in paragraph 33 of the Complaint.

34. Denies the allegations in paragraph 34 of the Complaint.

35. Denies the allegations in paragraph 35 of the Complaint and respectfully refers all questions of law to the Court and all questions of fact to the trier of fact.

36. Denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 36 of the Complaint, and therefore denies the allegations in paragraph 36.

37. Denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 37 of the Complaint, and therefore denies the allegations in paragraph 37.

38. Denies the allegations in paragraph 38 of the Complaint and respectfully refers all questions of law to the Court and all questions of fact to the trier of fact. Indeed, the regulation cited in this paragraph by plaintiff does not apply because it has not even taken effect yet.

39. Denies the allegations in paragraph 39 of the Complaint.

40. Denies the allegations in paragraph 40 of the Complaint.

41. Denies the allegations in paragraph 41 of the Complaint.

42. Denies the allegations in paragraph 42 of the Complaint and respectfully refers all questions of law to the Court and all questions of fact to the trier of fact.

43. Denies the allegations in paragraph 43 of the Complaint.

44. Denies the allegations in paragraph 44 of the Complaint.

45. Denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 45 of the Complaint, and therefore denies the allegations in paragraph 45.

46. Denies the allegations in paragraph 46 of the Complaint.

47. Denies the allegations in paragraph 47 of the Complaint.

48. Denies the allegations in paragraph 48 of the Complaint.

### **COUNT I**

49. Defendant incorporates by reference each response to paragraphs 1 through 48 above as if fully set forth herein.

50. Denies the allegations in paragraph 50 of the Complaint and respectfully refers all questions of law to the Court and all questions of fact to the trier of fact.

51. Denies the allegations in paragraph 51 of the Complaint.

52. Denies the allegations in paragraph 52 of the Complaint.

53. Denies the allegations in paragraph 53 of the Complaint.

54. Denies the allegations in paragraph 54 of the Complaint.

### **COUNT II**

55. Defendant incorporates by reference each response to paragraphs 1 through 54 above as if fully set forth herein.

56. Denies the allegations in paragraph 56 of the Complaint.

57. Denies the allegations in paragraph 57 of the Complaint.

58. Denies the allegations in paragraph 58 of the Complaint.

**COUNT III**

- 59. Denies the allegations in paragraph 59 of the Complaint.
- 60. Denies the allegations in paragraph 60 of the Complaint.
- 61. Denies the allegations in paragraph 61 of the Complaint.
- 62. Denies the allegations in paragraph 62 of the Complaint.
- 63. Denies the allegations in paragraph 63 of the Complaint.

**AFFIRMATIVE DEFENSES**

- 1. The Complaint fails to state a claim upon which relief can be granted and should be dismissed with prejudice.
- 2. Plaintiff's claims are barred because plaintiff consented to receive the complained-of text messages.
- 3. Plaintiff's claims are barred because, to the extent he attempted to revoke consent, he did not do so reasonably.
- 4. Plaintiff's claims are barred because his cellphone number is not a "residential" telephone number under the Federal Telephone Consumer Protection Act.
- 5. Plaintiff's claims are barred because the Federal Communications Commission's regulation cited by plaintiff in his Complaint (*see* Complaint ¶¶ 20-21, 38) does not even take effect until April 11, 2025, and the texts he allegedly received are not subject to it.
- 6. Defendant has established and implemented, with due care, reasonable practices and procedures to effectively prevent text message solicitations in violation of the regulations prescribed under the TCPA.
- 7. Plaintiff's claims are barred for lack of standing.

Defendant reserves any and all rights to assert any additional affirmative defenses.

**WHEREFORE**, having fully answered plaintiffs' complaint, Defendant prays that:

- A. Judgment be rendered in favor of Defendant and against plaintiff with respect to all counts and causes of action in the Complaint;
- B. The above-entitled action be dismissed in its entirety with prejudice;
- C. Plaintiff take nothing by reason of his Complaint; and
- D. For such other relief in Defendant's favor as the Court deems just and proper.

**JURY TRIAL DEMAND**

Pursuant to Fed. R. Civ. P. 38, Defendant hereby demands a jury trial on all counts so triable.

Dated: Greenbelt, Maryland  
March 12, 2025

Respectfully submitted,

By: /s/ Jonathan A. Barnes  
Jonathan A. Barnes (Bar No. 19384)  
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*Plaintiff, Pro Se*

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing was served on the plaintiff by the Court's CM/ECF system by email at the email address submitted to the Court and pursuant to plaintiff's Consent by Self-Represented Litigant to Receive Notices of Electronic Filing (ECF No. 3).

Dated: March 12, 2025

/s/ Jonathan Barnes